

**HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 2160 OF 2006.

Maitri Park Co-op. Housing
Society Limited & Ors.

..Petitioners.

Versus.

Divisional Joint Registrar,
Mumbai and others.

..Respondents.

Shri. Y. T. John with Vishal Thadhani i/b Smt. Veena
Thadhani for the Petitioners.

Shri. D. A. Patil, A.G.P. for the respondent - State.

CORAM: S.B.MHASE, J.

DATE : MARCH 29, 2006.

P.C.

1. Leave to delete petitioner no.1.
2. Petitioner Nos. 2 to 5 are the members of the Managing Committee of Maitri Park Co-operative Housing Society Limited. The management of the said society was superseded under section 78(1) of the Maharashtra Co-operative Societies Act, 1960 by an order dated March 7, 2006 passed by the Deputy Registrar, Co-operative Societies, "M"-Ward, Mumbai. Being aggrieved by the said order, the petitioners have filed an appeal before the Divisional Joint

Registrar, Co-operative Societies, Mumbai. In the said appeal order of status quo has been passed on 13.3.2006. The said order was operative upto 20.3.2006 and it was subsequently extended upto 27.3.2006. Thereafter it was not extended since the Registrar was not available in the office because of his other administrative works. Under these circumstances, the petitioners have approached to this court.

3. Shri. D. A. Patil, learned A.G.P. for the State now makes a statement that the status quo order will be extended till final disposal of the appeal by the Divisional Joint Registrar. He further makes a statement that after giving hearing opportunity to the petitioners and other management committee members of the said society, the appeal will be disposed of within a period of six weeks from today. Learned A.G.P. also makes a statement that as on today the Administrator has not taken charge of the society and the said status quo order will continue till the final disposal of the appeal.

4. Above statements made by the learned A.G.P. for the State are accepted and in view of the said statements, I pass following order.

: ORDER :

Divisional Joint Registrar, Co-operative Societies, Mumbai is hereby directed to dispose of the appeal bearing No. 39 of 2006 within a period of six weeks, after giving hearing opportunity to the petitioners and other parties. The order of status quo shall continue till the final disposal of the appeal. It shall further continue for a period of two weeks in case the appeal filed by the petitioners is dismissed by the Divisional Joint Registrar so as to pursue the appropriate remedy against the said order.

(S.B.MHASE, J.)